

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Livingston *et al.*

SERIAL NUMBER: 10/009,584

EXAMINER : Guzo, David

FILING DATE: May 21, 2002

ART UNIT 1636

FOR: IDENTIFICATION OF COMPOUNDS THAT MODIFY
TRANSCRIPTIONAL RESPONSES TO HYPOXIA**Mail Stop AMENDMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Amendment and Response (5 pgs.); and,
2. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts. The Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 20363-012NATL. A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,


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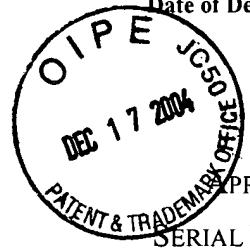
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AMENDMENT AND RESPONSE

This is in response to the Office Action mailed November 19, 2004 and in further response to the Office Action mailed May 4, 2004. With no extension of time, this Response is due on or before Monday, December 20, 2004 (December 19, 2004 being a Sunday). No fees are believed due. However, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 20263-012NATL.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.